

REMARKS/ARGUMENTS

Reconsideration and allowance of the above-identified application is respectfully requested in view of the present Amendment. The Official Action, mailed May 24, 2004, has been carefully reviewed. By this Amendment, claims 9 and 10 have been canceled.

The Examiner has rejected claim 9 under 35 U.S.C. 103(a) as being unpatentable over the Filippi, et. al. reference (U.S. Patent No. 5,883,301) in view of the Kammeraad, et. al. reference (U.S. Patent No. 5,507,176) and further in view of the Dodge reference (U.S. Patent No. 4,575,807). The Applicants do not agree that these references, taken individually or in combination, make obvious the Applicants' invention, as asserted by the Examiner, however, in order to obtain allowance of the above-identified application, claim 9 and claim 10 which is dependent upon claim 9 have been canceled by the present Amendment. In view of the cancellation of claim 9 by the present Amendment, the rejection of same by the Examiner is now moot.

Claims 1, 4-6 and 9-11 have been rejected by the Examiner under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6,298,712 B1 (Docy, et. al.) in view of the Filippi, et. al. reference (U.S. Patent No. 5,883,301) and in view of the Kammeraad reference (U.S. Patent No. 5,507,176). Inasmuch as U.S. Patent No. 6,298,712 B1 (Docy, et. al.) is assigned to Hickok Incorporated which is the assignee of the above-identified application, and thus, U.S. Patent No. 6,298,712 B1 and the above-identified application are commonly owned by Hickok Incorporated, a terminal disclaimer in

compliance with 37 C.F.R. 1.321(c) is hereby submitted overcoming the aforementioned rejection of these claims on the basis of nonstatutory double patenting. This terminal disclaimer limits the term of any patent issuing from the above-identified application to the term of U.S. Patent No. 6,298,712 B1. In view of the submission of the subject terminal disclaimer, it is respectfully submitted that claims 1, 4-6 and 11 are allowable.

In view of this Amendment and associated terminal disclaimer, it is respectfully submitted that the above-identified application is in condition for allowance, and such action is requested.

Respectfully submitted,



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